

July 08, 2013

GLORIA L. FRANKLIN, CLERK  
U.S. BANKRUPTCY COURT  
NORTHERN DISTRICT OF CALIFORNIA



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The following constitutes  
the order of the court. Signed July 8, 2013

Attorneys for Debtors

  
Roger L. Efremsky  
U.S. Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT

NORTHERN DISTRICT OF CALIFORNIA

In re:

Case No. 10-72312 RLE

WARREN LELAND OBERHOLSER and  
VICTORIA MARIE OBERHOLSER,

Chapter 13

Debtors.

ORDER VALUING LIEN OF LAKE  
ICON PORTFOLIO MANAGEMENT I,  
LLC AS SUCCESSOR IN INTEREST  
TO BANCO POPULAR NORTH AMERICA  
AS SUCCESSOR IN INTEREST TO E-  
LOAN, INC.

On June 7, 2013, Warren Leland Oberholser & Victoria Marie Oberholser (hereinafter Debtors) served a motion to value the lien of Lake Icon Portfolio Management I, LLC as successor in interest to Banco Popular North America as successor in interest to E-Loan, Inc. (hereinafter Lienholder) against the property commonly known as 5444 San Antonio Street, Pleasanton, CA 94566, which lien was recorded by Mortgage Electronic Registration Systems, Inc. on behalf of the lender E-loan, Inc. in Alameda County on or about May 29, 2007, as document 2007202397 and was assigned to Lake Icon Portfolio Management I, LLC as successor in interest to Banco Popular North America as successor

1 in interest to E-Loan, Inc. through an unrecorded Corporation  
2 Assignment of Deed of Trust (hereinafter the Lien).

3 The court finds that notice of the motion upon Lienholder was  
4 proper. Lienholder having failed to file timely opposition to Debtors'  
5 motion, the court hereby orders as follows:

6 (1) For purposes of Debtors' chapter 13 plan only, the Lien is  
7 valued at zero, Lienholder does not have a secured claim, and the Lien  
8 may not be enforced, pursuant to 11 U.S.C. §§ 506, 1322 (b) (2) and  
9 1327.

10 (2) This order shall become part of Debtors' confirmed chapter 13  
11 plan.

12 (3) Upon entry of a discharge in Debtors' chapter 13 case, the  
13 Lien shall be voided for all purposes, and upon application by  
14 Debtors, the court will enter an appropriate form of judgment or order  
15 voiding the Lien.

16 (4) If Debtors' chapter 13 case is dismissed or converted to one  
17 under another chapter before Debtors obtain a discharge, this order  
18 shall cease to be effective and the Lien shall be retained to the  
19 extent recognized by applicable nonbankruptcy law, and upon  
20 application by the Lienholder, the court will enter an appropriate  
21 form of order restoring the Lien.

22 (5) Except as provided by separate, subsequent order of this  
23 court, the Lien may not be enforced so long as this order remains in  
24 effect.

25 \*\*\* END OF ORDER \*\*\*  
26

COURT SERVICE LIST

Attn: Officer  
Lake Icon Portfolio Management I, LLC  
1557 North East 164<sup>th</sup> Street, Suite 201  
North Miami Beach, FL 33162

Attn: Officer  
E-Loan, Inc.  
120 Broadway 16<sup>th</sup> Floor  
New York, NY 10271

Attn: Officer  
E-Loan, Inc.  
C/o CT Corporation System  
818 W Seventh Street  
Los Angeles, CA 90017